

PATENT
10/047,116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: : Group Art Unit: 2179
: Examiner: Sara M. Hanne
Cristi N. Ullmann et al. : Intellectual Property
Serial No: 10/047,116 : Law Department - 4054
Filed: 01/15/2002 : International Business
Title: A SYSTEM FOR : Machines Corporation
RECORDING WORLD WIDE WEB : 11400 Burnet Road
BROWSING SESSIONS NAVIGATION : Austin, Texas 78758
ON A REAL-TIME BASIS AND FOR : Customer No. 32,329
SUBSEQUENTLY DISPLAYING THE :
RECORDED SESSIONS AS :
SURROGATE BROWSING SESSIONS :
WITH USER ENABLED REAL-TIME :
MODIFICATION :
Dated: 8/8/05 :

BRIEF ON APPEAL

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Sir:

This is an Appeal from the Final Rejection of Claims 1-28 of this Application dated March 23, 2005. VIII. Appendix containing a copy of each of the Claims is attached.

I. Real Party in Interest

The real party in interest is International Business Machines Corporation, the assignee of the present Application.

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II. Related Appeals and Interferences

None

III. Status of Claims

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

There are 28 claims in this Application.

B. STATUS OF ALL THE CLAIMS

1. Claims cancelled: None.
2. Claims withdrawn from consideration but not cancelled: None.
3. Claims pending: 1-28.
4. Claims allowed: None.
5. Claims rejected: 1-28.

C. CLAIMS ON APPEAL

Claims on appeal: 1-28.

IV Status of Amendments

An Amendment after Final Rejection correcting informalities in the Application Abstract has been filed and entered.

V. Summary of Claimed Invention

The present invention is directed to problems of both the professionals/executives and the physically impaired, who have Web browsing or search sessions conducted on their behalf on the Web. The invention involves the generation of a surrogate Web browsing session at a Web receiving display station by a user who does the basic browsing or searching for a principal user, e.g. the physically limited individual

or the executive/professional ordering the browsing session. The implementation comprises means enabling a user to interactively navigate the Web through a sequence of linked hypertext documents in a browsing session at a receiving display station (Page 10, line 25 through page 11, line 2 referring to Fig.1) in combination with means for recording on a real-time basis, the interactive navigation of said user in said browsing session (Page 10, line 25 through page 11, line 2 referring to Fig.1, recorders 13 and 15, and page 13, lines 8-12 referring to Fig. 2). Then, there are means enabling a subsequent user to follow the path of said recorded navigation on a real-time basis in a surrogate browsing session on a display device (page 17, lines 7-15, referring to Figs. 12 and 13) in combination with means enabling such subsequent user following the path of the recorded navigation in the surrogate session to modulate the real-time of the navigation on the display device (page 17, lines 23-26 referring to Fig. 12). Most significant to the invention: are hyperlinks which were recorded and saved but never selected (clicked on) during the original recorded browsing sessions which are available and may be subsequently interactively selected by the subsequent user during the playback sessions to access and display the linked Web document [see Specification wherein the hyperlinks "Kuwaiti Girls School" 67, in the Web page shown in Fig. 11, and "F. Five Chemical Alerts..." 71, in the Web page shown in Fig. 10 are never clicked on or selected in the original browsing session but rather the hyperlinks are saved in the "Later Link Log" 75, Fig. 13. Then, during the playback of the original recorded browser session described with respect to Fig 16, the subsequent play back user may choose, step 117, to stop the play back and click on one of

the saved but unselected hyperlinks to access and display the linked Web document].

VI. Grounds of Rejection

Claims 1-3, 7, 11-13, 17, 19-21, and 25 are rejected under 35 USC 103(a) as unpatentable over Rust (US6,535,909).

Claims 4-6, 8-10, 14-16, 18, 22-24, and 26-28 are rejected under 35 USC 103(a) as unpatentable over Rust (US6,535,909) in view of Gupta et al. (US6,546,405).

VII. Argument

Claims 1-3, 7, 11-13, 17, 19-21, and 25 are unobvious over Rust (US6,535,909), and, therefore, are patentable under 35 USC 103(a).

Applicants submit that Claims 1-3, 7, 11-13, 17, 19-21, and 25 are patentable under 35 USC 103(a) over Rust (US6,535,909). Both the present invention and the basic Rust reference are directed to fully recording Web browsing sessions including Web navigation and the sequential accessing of other Web documents through hyperlinks. According to both Rust and the present invention, the browsing sessions are recorded on a real time basis and may played back at the same pace as recorded or at a different pace.

However, the present invention differs from the teaching of Rust in one major aspect: hyperlinks which were recorded and saved but never selected or clicked on during the original recorded browsing sessions are available and may be subsequently interactively selected by the subsequent user during the playback sessions to access and display the linked Web document.

There is nothing in the Rust teaching which suggests that during a subsequent playback session, there can be an

interactive selecting of an unselected unused hyperlink from the previously recorded Web browsing session to thereby access the linked hypertext (Web) document. The Examiner admits that Rust explicitly fails to set forth "the subsequent user selecting a recorded but previously unselected hyperlink" (commencing with last full sentence on page 3 of final rejection). The Examiner who has failed to find anything in Rust suggestive of this inventive point, goes on to argue merely that whether or not a hyperlink is previously selected or unselected is of little consequence to the subsequent user. The Examiner concludes that it would have been obvious to one skilled in the art to select in a subsequent playback a previously unselected hyperlink.

What the Examiner has not understood here is that in Rust, there is no embodiment which would permit a user to interactively click on or select a previously unselected hyperlink. In Rust, the playback of the recorded Web browsing session is not interactive i.e. the viewer can not select an unselected hyperlink by pointing and clicking. As described hereinabove in the Summary of the Invention, there has to be a device such as Applicants' "Later Link Log" 75, Fig. 13, active during the original Web browsing session, to set up and maintain the unselected hyperlink to be selectable during subsequent playback. In the example set forth above with reference to the present Specification description, the hyperlinks "Kuwaiti Girls School" 67, in the Web page shown in Fig. 11, and "F. Five Chemical Alerts..." 71, in the Web page shown in Fig. 10 are never clicked on or selected in the original browsing session but rather the hyperlinks are saved in the "Later Link Log" 75, Fig. 13. Then, during the playback of the original recorded browser session described with respect to Fig 16, the subsequent playback user may choose, step 117, to stop the

playback and click on one of the saved but unselected hyperlinks to access and display the linked Web document. Clearly, there is nothing in Rust to suggest that during a subsequent playback session, there can be an interactive selecting of an unselected unused hyperlink from the previously recorded Web browsing session to thereby access the linked hypertext (Web) document.

The Remaining Dependent Claims 4-6, 8-10, 14-16, 18, 22-24, and 26-28 are unobvious over Rust (US6,535,909) in view of Gupta et al. (US6,546,405), and, therefore, are patentable under 35 USC 103(a).

The Gupta et al. reference does not make up for the fundamental deficiency of Rust as a reference: wherein hyperlinks which were recorded and saved but never selected or clicked on during the original recorded browsing sessions are available and may be subsequently interactively selected by the subsequent user during the playback sessions to access and display the linked Web document. Thus, Gupta does not render the claims obvious under 35 USC 103(a) as set forth in the previous section of this Brief. Gupta relates to the production and recording of multimedia presentations in which content is accessed through networks. However, these recorded multimedia presentation are intended for playback as teaching, lecturing, or sales presentations in which there is no aspect of user i.e. audience interaction during playback. Of course the Examiner did not cite Gupta for this purpose. Gupta was cited to show that many of the recording and playback features covered in these dependent claims were know in the art. The Examiner relies on Gupta to show that it would be obvious to include timelines and like marks or indicators for such purposes in recording and playback of browsing sessions as in dependent claims 4-6, 8, 14-16, 18, 22-24, and 26. Applicants will

concede that Gupta does teach the use of various time lines or like markings in network multimedia presentations. Examiner also relies on Gupta, with respect to claims 9, 10, 27, and 28, for a general disclosure in the art for video tape recording of presentations developed using Web documents. Applicants will also concede that video tape recording and storing of browsing sessions as generally disclosed in Gupta are part of the prior art. However, this has no affect on the basic reason for the patentability of the present invention. It is submitted that Gupta like Rust does not have any suggestion of Applicants' invention element wherein hyperlinks which were recorded and saved but never selected or clicked on during the original recorded browsing sessions are available and may be subsequently interactively selected by the subsequent user during the playback sessions to access and display the linked Web document.

In this connection, in the Final Rejection, Examiner mentions but does not apply US Patent 5,944,791 which Examiner notes is incorporated by reference into the basic Rust patent, and deals with collaborative Web sessions. Since Examiner does not note any special significance to this reference, Applicants can not address the significance of this reference to the cited combination of references.

Conclusion

In view of the foregoing, it is submitted that:

Claims 1-3, 7, 11-13, 17, 19-21, and 25 are unobvious over Rust (US6,535,909), and, therefore, are patentable under 35 USC 103(a); and

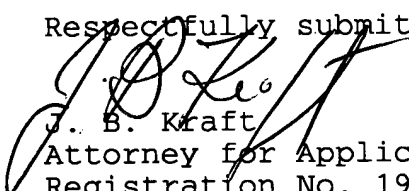
Claims 4-6, 8-10, 14-16, 18, 22-24, and 26-28 are unobvious over Rust (US6,535,909) in view of Gupta et al.

PATENT
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(US6,546,405), and, therefore, are patentable under 35 USC 103(a).

Therefore, it is respectfully requested that the Final Rejection of claims 1-28 dated March 23, 2005 be reversed, and that claims 1-28 be found to be in condition for allowance.

Respectfully submitted,



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VIII. Claims Appendix

1 1. In a World Wide Web (Web) communication network with
2 user access via a plurality of data processor controlled
3 interactive receiving display stations for displaying
4 received hypertext documents of at least one display page
5 containing text, images and a plurality of embedded
6 hyperlinks, each hyperlink being user selectable to access
7 and display a respective linked hypertext document, a system
8 for generating surrogate Web browsing sessions comprising:
9 means enabling a user to interactively navigate the Web
10 through a sequence of linked hypertext documents in a
11 browsing session at a receiving display station;
12 means for recording on a real-time basis said
13 interactive navigation of said user in said browsing
14 session;
15 means enabling a subsequent user to follow the path of
16 said recorded navigation on a real-time basis in a surrogate
17 browsing session on a display device;
18 means enabling said subsequent user following said path
19 of said recorded navigation in said surrogate session to
20 modulate the real-time of said navigation on said display
21 device; and
22 means enabling said subsequent user to select a
23 recorded but previously unselected hyperlink to thereby
24 access a linked hypertext document.

1 2. The system for generating surrogate Web browsing
2 sessions of claim 1 wherein said recorded navigation
3 includes scrolling through a Web document.

1 3. The system for generating surrogate Web browsing
2 sessions of claim 1 wherein said recorded navigation
3 includes selecting a hyperlink in a displayed Web document
4 to access and display the respective linked hypertext
5 document.

1 4. The system for generating surrogate Web browsing
2 sessions of claim 1 further including:
3 means for recording a real-time line for said recorded
4 navigation; and
5 means for displaying said recorded real-time line in
6 said surrogate Web browsing session.

1 5. The system for generating surrogate Web browsing
2 sessions of claim 4 further including:
3 means enabling said user to insert time marks in said
4 real-time line to indicate significant points in said
5 browsing session.

1 6. The system for generating surrogate Web browsing
2 sessions of claim 5 wherein an inserted time mark coincides
3 with said navigation reaching a specific hyperlink in a
4 hypertext document during said browsing session.

1 7. The system for generating surrogate Web browsing
2 sessions of claim 1 wherein said surrogate session is
3 carried out off-line from said Web network.

1 8. The system for generating surrogate Web browsing
2 sessions of claim 4 further including a user interactive Web
3 browser at said receiving display station, said browser
4 including:

5 said means enabling a user to interactively navigate
6 the Web through a sequence of linked hypertext documents in
7 a browsing session at a receiving display station;

8 said means for recording on a real-time basis said
9 interactive navigation of said user in said browsing
10 session; and

11 said means for recording a real-time line for said
12 recorded navigation.

1 9. The system for generating surrogate Web browsing
2 sessions of claim 8 wherein said display device is a video
3 cassette player and said navigation in said browsing session
4 is recorded on video tape.

1 10. The system for generating surrogate Web browsing
2 sessions of claim 8 wherein said display device is a
3 computer controlled display having means for storing the
4 recorded real-time interactive navigation.

1 11. In a Web communication network with user access via a
2 plurality of data processor controlled interactive receiving
3 display stations for displaying received hypertext documents
4 of at least one display page containing text, images and a
5 plurality of embedded hyperlinks, each hyperlink being user
6 selectable to access and display a respective linked
7 hypertext document, a method for generating surrogate Web
8 browsing sessions comprising:
9 enabling a user to interactively navigate the Web
10 through a sequence of linked hypertext documents in a
11 browsing session at a receiving display station;
12 recording on a real-time basis said interactive
13 navigation of said user in said browsing session;
14 enabling a subsequent user to follow the path of said
15 recorded navigation on a real-time basis in a surrogate
16 browsing session on a display device;
17 enabling said subsequent user following said path of
18 said recorded navigation in said surrogate session to
19 modulate the real-time of said navigation on said display
20 device; and
21 enabling said subsequent user to select a recorded but
22 previously unselected hyperlink to thereby access a linked
23 hypertext document.

1 12. The method for generating surrogate Web browsing
2 sessions of claim 11 wherein said recorded navigation step
3 includes scrolling through a Web document.

1 13. The method for generating surrogate Web browsing
2 sessions of claim 11 wherein said recorded navigation step
3 includes selecting a hyperlink in a displayed Web document
4 to access and display the respective linked hypertext
5 document.

1 14. The method for generating surrogate Web browsing
2 sessions of claim 11 further including the steps of:
3 recording a real-time line for said recorded
4 navigation; and
5 displaying said recorded real-time line in said
6 surrogate Web browsing session.

1 15. The method for generating surrogate Web browsing
2 sessions of claim 14 further including the step of:
3 enabling said user to insert time marks in said real-
4 time line to indicate significant points in said browsing
5 session.

1 16. The method for generating surrogate Web browsing
2 sessions of claim 15 wherein an inserted time mark coincides
3 with said navigation reaching a specific hyperlink in a
4 hypertext document during said browsing session.

1 17. The method for generating surrogate Web browsing
2 sessions of claim 11 wherein said surrogate session is
3 carried out off-line from said Web network.

1 18. The method for generating surrogate Web browsing
2 sessions of claim 14 further including a user interactive
3 Web browser method carried out at said receiving display
4 station, said browser method including said steps of:
5 enabling a user to interactively navigate the Web
6 through a sequence of linked hypertext documents in a
7 browsing session at a receiving display station;
8 recording on a real-time basis said interactive
9 navigation of said user in said browsing session; and
10 recording a real-time line for said recorded
11 navigation.

1 19. A computer program having code recorded on a computer
2 readable medium for generating surrogate Web browsing
3 sessions in a Web communication network with user access via
4 a plurality of data processor controlled interactive
5 receiving display stations for displaying received hypertext
6 documents of at least one display page containing text,
7 images and a plurality of embedded hyperlinks, each
8 hyperlink being user selectable to access and display a
9 respective linked hypertext document, said computer program
10 comprising:

11 means enabling a user to interactively navigate the Web
12 through a sequence of linked hypertext documents in a
13 browsing session at a receiving display station;

14 means for recording on a real-time basis said
15 interactive navigation of said user in said browsing
16 session;

17 means enabling a subsequent user to follow the path of
18 said recorded navigation on a real-time basis in a surrogate
19 browsing session on a display device;

20 means enabling said subsequent user following said path
21 of said recorded navigation in said surrogate session to
22 modulate the real-time of said navigation on said display
23 device; and

24 means enabling said subsequent user to select a
25 recorded but previously unselected hyperlink to thereby
26 access a linked hypertext document.

1 20. The computer program of claim 19 wherein said recorded
2 navigation includes scrolling through a Web document.

1 21. The computer program of claim 19 wherein said recorded
2 navigation includes selecting a hyperlink in a displayed Web
3 document to access and display the respective linked
4 hypertext document.

1 22. The computer program of claim 19 further including:
2 means for recording a real-time line for said recorded
3 navigation; and
4 means for displaying said recorded real-time line in
5 said surrogate Web browsing session.

1 23. The computer program of claim 22 further including:
2 means enabling said user to insert time marks in said
3 real-time line to indicate significant points in said
4 browsing session.

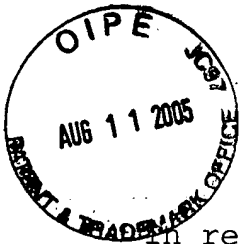
1 24. The computer program of claim 23 wherein an inserted
2 time mark coincides with said navigation reaching a specific
3 hyperlink in a hypertext document during said browsing
4 session.

1 25. The computer program of claim 19 wherein said surrogate
2 session is carried out off-line from said Web network.

1 26. The computer program of claim 22 further including a
2 user interactive Web browser program at said receiving
3 display station, said browser program including:
4 said means enabling a user to interactively navigate
5 the Web through a sequence of linked hypertext documents in
6 a browsing session at a receiving display station;
7 said means for recording on a real-time basis said
8 interactive navigation of said user in said browsing
9 session; and
10 said means for recording a real-time line for said
11 recorded navigation.

1 27. The computer program of claim 26 wherein said display
2 device is a video cassette player and said navigation in
3 said browsing session is recorded on video tape.

1 28. The computer program of claim 26 wherein said display
2 device is a computer controlled display having means for
3 storing the recorded real-time interactive navigation.



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AFB / ZM

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MODIFICATION :
Dated: 8/8/05 :

CERTIFICATE OF MAILING

I hereby certify that this correspondence including a Brief on Appeal (in triplicate), and this transmittal letter (duplicate) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on 8/8/05.

J. D. KRAFT

J. D. Kraft 8/8/05
Signature Date

TRANSMITTAL OF APPELLANTS' BRIEF UNDER 37 CFR 1.192(a)

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Alexandria, VA 22313-1450

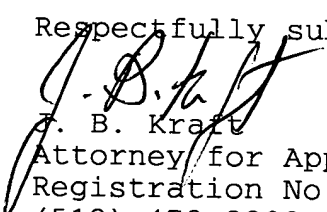
Sir:

Attached is Appellants' Brief (in triplicate) in this Appeal from a decision of the Examiner dated March 23, 2005 finally rejecting claims 1-28.

Please charge our Deposit Account No. 09-0447 in the amount of \$500.00 for the Appeal Brief fee. (a duplicate of this transmittal is included.)

The Commissioner is hereby authorized to charge any additional fee which may be required or credit any overpayment to Deposit Account No. 09-0447.

Respectfully submitted



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